

**R430. Health, Health Systems Improvement, Child Care Licensing.**

**R430-4. General Certificate Provisions.**

**R430-4-1. Legal Authority.**

This rule is promulgated pursuant to Title 26, Chapter 39.

**R430-4-2. Purpose.**

This rule defines the standards that a residential in-home child care provider must follow to obtain a certificate.

**R430-4-3. Initial Application.**

(1) An applicant for a certificate shall file a Request for Agency Action - Certificate Application with the Utah Department of Health on a form furnished by the Department.

(2) Each applicant shall comply with all zoning, fire, sanitation, building and licensing laws, regulations and ordinances, and codes of the city, county, municipality in which the home is located.

(3) The applicant shall obtain the following documents to submit with the application:

(a) Five hours of department-approved training in child care;

(b) CPR and First Aid certificates; and

(c) Background clearance documents as required in R430-6.

**R430-4-4. Certificate Fee.**

The residential provider shall submit a certificate fee established in accordance with 26-1-6 and 26-39-105.5(1)(b)(i)(B) with the completed application form.

**R430-4-5. Initial Certificate Issuance or Denial.**

(1) The Department shall render a decision on an initial certificate application within 60 days of receipt of a completed application packet or the Department shall deny an application not completed within six months of the submission date of the first component of an application packet.

(2) Upon verification of compliance with certificate requirements the Department shall issue a Notice of Agency Action - Letter of Certificate for a period not to exceed one year.

(3) If the Department denies a Request for Agency Action- Certificate Application, the Department shall issue a written Notice of Agency Decision. An applicant who was denied a certificate may reapply for a certificate as a new applicant and must initiate a new request for agency action.

**R430-4-6. Letter of Certificate Provisions.**

The Letter of Certificate is not assignable or transferable and the residential provider shall make the letter available to the public upon request.

**R430-4-7. Expiration and Renewal of Certificate.**

(1) Each Letter of Certificate shall expire at midnight, on the last day of the month, 12 months from the anniversary date of the prior Letter of Certificate, unless previously revoked by the Department.

(2) The Residential child care provider shall file a Request for Agency Action - Certificate Application form, applicable fees, and clearances to the Department 30 days prior to the current certificate expiration.

(3) The Department shall renew the Letter of Certificate upon verification that the provider is in compliance with all applicable rules.

(4) The Department shall not renew a Letter of Certificate for a residential child care facility who is no longer providing child care.

#### **R430-4-8. Notice of Intent to Inspect.**

When the Department issues the initial Letter of Certificate or the renewal Letter of Certificate the residential provider will be informed of the requirement for initial inspection and that the owner will receive a notice prior to the actual inspection.

#### **R430-4-9. Inspections and Enforcement.**

(1) Each residential certificate child care provider shall receive at least one annual on-site inspection.

(2) If a serious sanitation, fire or health hazards has been found during an inspection, the Department may, at the option of the residential certificate provider:

(a) Require a corrective action plan for the serious hazards found and make an unannounced follow up inspection to determine compliance; or

(b) Inform the parent's of each child in the care of the provider of the results of the Department's inspection and the failure of the provider to take corrective action.

#### **R430-4-10. Sanction Action on Certificate.**

The Department may revoke a certificate if the provider exhibits evidence of aiding, abetting, or permitting the commission of any illegal act, or demonstrates conduct adverse to the public health, morals, welfare, and safety of the children in care.

**KEY: child care facilities**  
**August 20, 1998 26-39**